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OCT 02 2006

In re Application of
Pedersen et al.
Application No.09/558,378
Filed: April 26, 2000
Title of Invention: Radio Terminal

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OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), filed July 6, 2006.

This above-identified application became abandoned for failure to timely file an appeal brief and submit the accompanying fee. Applicant filed a Notice of Appeal and one month extension of time on August 22, 2005. Pursuant to 37 CFR 41.37(a) applicant was required to file an Appeal brief two months from August 22, 2005. No further extensions of time pursuant to 37 CFR 1.136 were obtained. Accordingly, this application became abandoned on October 23, 2005. A Notice of Abandonment was mailed on January 18, 2006.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

The two-month period for filing an appeal brief (accompanied by the fee required by 37 CFR 41.20(b)(2)), will be the later of the two-month period set in 37 CFR 41.37(a) or one month from the mail date of the decision on the request for Pre-Appeal Brief Review.

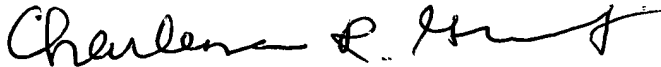
A three (3) month extension of time was requested. However, pursuant to 37 CFR §1.136, an extension of time must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988) Petitioner's five (5) month statutory period expired on March 23, 2006. Petitioner is ineligible for any extensions of time. Petitioner may request a refund of the \$1,020.00 by writing to the Finance Office, Refund Section. A copy of this decision should accompany any request for refund.

The Revocation and Power of Attorney will not be entered because the title of the

person signing the 3.73(b) statement has not been provided.

The application will be forwarded to Technology Center 2100 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant", with a stylized flourish at the end.

Charlema R. Grant
Petitions Attorney
Office of Petitions

cc: G. Peter Albert, Jr.
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